

1 R. ALEXANDER SAVERI (173102)
rick@saveri.com

2 GEOFFREY C. RUSHING (126910)
grushing@saveri.com

3 CADIO ZIRPOLI (179108)
cadio@saveri.com

4 TRAVIS L. MANFREDI (281779)
travis@saveri.com

5 SAVERI & SAVERI, INC.
6 706 Sansome Street
San Francisco, CA 94111
7 Telephone: (415) 217-6810
Facsimile: (415) 217-6813

8
9 JAMES M. RINGER (*pro hac vice* pending)
jmr@msf-law.com

10 BENJAMIN D. BIANCO (*pro hac vice* pending)
bdb@msf-law.com

11 MEISTER SEELIG & FEIN LLP
12 125 Park Avenue, 7th Floor
New York, NY 10017
13 Telephone: (212) 655-3500
Facsimile: (212) 655-3536

14 *Counsel for Plaintiff*
15 *MicroTechnologies, LLC*

16
17 **UNITED STATES DISTRICT COURT**
NORTHERN DISTRICT OF CALIFORNIA
18 **SAN JOSE DIVISION**

19 MICROTECHNOLOGIES, LLC,

20 Plaintiff,

21 vs.

22 AUTONOMY, INC. (also known as HP
AUTONOMY),

23
24 Defendant,

25 and

26 HEWLETT-PACKARD COMPANY,

27 Nominal Defendant.
28

NEIL A. GOTEINER (083524)
ngoteiner@fbm.com

FARELLA BRAUN + MARTEL LLP
235 Montgomery Street, 17th Floor
San Francisco, CA 94104
Telephone: (415) 954-4400
Facsimile: (415) 954-4480

Attorneys for Defendants
AUTONOMY, INC. and HEWLETT-PACKARD
COMPANY, and for non-party AUTONOMY
SYSTEMS LIMITED

FILED

Case No. 15-cv-2220 RMW

STIPULATION AND []
ORDER RE PENDING MOTIONS

This Stipulation is entered into by and among plaintiff MicroTechnologies, LLC (“MicroTech”); defendant Autonomy, Inc. (“Autonomy”); nominal defendant Hewlett-Packard Company (“HP”); and non-party and proposed intervenor, Autonomy Systems Limited (“ASL”), by and through their respective, undersigned counsel.

STIPULATION

WHEREAS, on May 18, 2015, plaintiff filed its Complaint against defendants Autonomy and HP (Docket No. 1);

WHEREAS, on June 29, 2015, (i) defendant Autonomy filed an Answer and Counterclaim (Docket No. 11), (ii) defendant HP filed a Motion to Dismiss (Docket No. 12), and (iii) proposed intervenor ASL filed its Motion to Intervene (Docket No. 13);

WHEREAS, on August 7, 2015, the parties hereto met and conferred in an attempt to resolve the pending motions (Docket Nos. 12 and 13) without Court intervention;

NOW, THEREFORE, subject to this Court’s approval, IT IS HEREBY STIPULATED AND AGREED, by and among MicroTech, Autonomy, HP, and ASL that:

- Plaintiff agrees to the dismissal of defendant HP, without prejudice, under the following conditions:
 - Defendant HP agrees to MicroTech propounding non-party discovery upon it in this Action via notice, as opposed to non-party subpoena, but HP will otherwise preserve all of its rights to oppose or limit any such discovery; and
 - To the extent that plaintiff hereafter develops, through discovery or otherwise, any claims it may have against HP relating to the facts and circumstances at issue in this Action, plaintiff may relate those claims back to May 18, 2015 (the date the Complaint was filed in this Action), for the calculation of any relevant statute of limitations on any such claim.
- Plaintiff agrees not to oppose the intervention of ASL, but otherwise preserves all of its rights under Rule 12 of the Federal Rules of Civil Procedure against ASL.
- Plaintiff will answer, or otherwise respond to, the counterclaims of both Autonomy and ASL on or before September 4, 2015.

IT IS SO STIPULATED

1 DATED: August 11, 2015

/s/ Cadio Zirpoli

2 R. Alexander Saveri
3 Geoffrey C. Rushing
4 Cadio Zirpoli
5 Travis L. Manfredi
6 **SAVERI & SAVERI, INC.**
7 706 Sansome Street
8 San Francisco, CA 94111
9 Telephone: (415) 217-6810
10 Facsimile: (415) 217-6813

11 James M. Ringer (*pro hac vice* pending)
12 Benjamin D. Bianco (*pro hac vice* pending)
13 **MEISTER SEELIG & FEIN LLP**
14 125 Park Avenue, 7th Floor
15 New York, NY 10017
16 Telephone: (212) 655-3500
17 Facsimile: (212) 655-3536
18 bdb@msf-law.com

19 *Counsel for Plaintiff*
20 **MICROTECHNOLOGIES, LLC**

21 DATED: August 11, 2015

/s/ Neil A. Goteiner

22 Neil A. Goteiner
23 **FARELLA BRAUN + MARTEL LLP**
24 235 Montgomery Street, 17th Floor
25 San Francisco, CA 94104
26 Telephone: (415) 954-4400
27 Facsimile: (415) 954-4480

28 *Attorneys for Defendants*
AUTONOMY, INC. and HEWLETT-PACKARD
COMPANY, and for non-party AUTONOMY
SYSTEMS LIMITED

PURSUANT TO THE ABOVE STIPULATION, IT IS SO ORDERED AS FOLLOWS:

1. Defendant Hewlett-Packard Company is DISMISSED, without prejudice, in accordance with the above STIPULATION.
2. Non-party, and proposed intervenor, ASL's Motion to Intervene (Docket No. 13) is GRANTED in accordance with the above STIPULATION.

Dated: i 888



Hon. Ronald M. Whyte
United States District Judge

ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1(i)

I, Cadio Zirpoli, attest that concurrence in the filing of this document has been obtained from all signatories. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on August 11, 2015, at San Francisco, California.

/s/ Cadio Zirpoli